



February 18, 2005

SENATE BILL No. 523

DIGEST OF SB 523 (Updated February 17, 2005 12:41 pm - DI 58)

Citations Affected: IC 12-7; IC 12-14.

Synopsis: Assistance for reentry court program participants. Makes permanent a temporary law that permits certain drug offenders participating in a reentry court program to receive food stamps or temporary assistance for needy families (TANF).

Effective: July 1, 2005.

**Wyss, Sipes, Simpson, Craycraft,
Breux**

January 20, 2005, read first time and referred to Committee on Homeland Security, Utilities, and Public Policy.

February 3, 2005, reported favorably — Do Pass; reassigned to Committee on Appropriations.

February 17, 2005, reported favorably — Do Pass.

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SB 523—LS 6690/DI 104+



February 18, 2005

First Regular Session 114th General Assembly (2005)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2004 Regular Session of the General Assembly.

SENATE BILL No. 523

A BILL FOR AN ACT to amend the Indiana Code concerning human services.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 12-7-2-158.5 IS ADDED TO THE INDIANA
2 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
3 [EFFECTIVE JULY 1, 2005]: **Sec. 158.5. "Reentry court program",**
4 **for purposes of IC 12-14-29, has the meaning set forth in**
5 **IC 12-14-29-1.**

6 SECTION 2. IC 12-7-2-189.8 IS ADDED TO THE INDIANA
7 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
8 [EFFECTIVE JULY 1, 2005]: **Sec. 189.8. "TANF program" refers**
9 **to the federal Temporary Assistance for Needy Families program**
10 **under 42 U.S.C. 601 et seq.**

11 SECTION 3. IC 12-14-29 IS ADDED TO THE INDIANA CODE
12 AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE
13 JULY 1, 2005]:

14 **Chapter 29. Assistance for Reentry Court Program Participants**
15 **Sec. 1. "Reentry court program", for purposes of this chapter,**
16 **refers to a program that meets the following requirements:**
17 **(1) A circuit or superior court has established and administers**

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the program.

(2) The program is designed to supervise and provide services to an individual who was previously incarcerated by the department of correction in an adult correctional facility.

(3) The goal of the program is to increase the likelihood that the individual will:

(A) become self-sufficient; and

(B) not commit additional crimes.

(4) The program provides intensive supervision, which may include twenty-four (24) hour electronic monitoring supervision of the individual.

(5) The program provides regular and direct judicial intervention that is supported and advised by a transition team that consists of at least the following:

(A) A professional from a community corrections program.

(B) A parole officer.

(C) A professional from a victim assistance program.

(D) A professional from the treatment community.

(E) An employment trainer.

(F) A community volunteer.

Sec. 2. Under this chapter, an individual is eligible for food stamps if the individual meets all the following requirements:

(1) The individual is a resident of a county having a reentry court program.

(2) The individual was convicted of an offense under IC 35-48 (controlled substances) for conduct occurring after August 22, 1996.

(3) Except for 21 U.S.C. 862a(a), the individual meets the federal and Indiana food stamp program requirements.

(4) The individual is successfully participating in a reentry court program.

Sec. 3. Under this chapter, an individual is eligible for the TANF program if the individual meets all the following requirements:

(1) The individual is a resident of a county having a reentry court program.

(2) The individual was convicted of an offense under IC 35-48 (controlled substances) for conduct occurring after August 22, 1996.

(3) Except for 21 U.S.C. 862a(a), the individual meets the federal and Indiana TANF program requirements.

(4) The individual is successfully participating in a reentry

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1 court program.

2 Sec. 4. In accordance with 21 U.S.C. 862a(d)(1), the state elects
3 to opt out of the application of 21 U.S.C. 862a(a) for individuals
4 participating in a reentry court program.

5 Sec. 5. (a) If referred by a court, an individual who meets the
6 requirements of section 2 of this chapter may receive food stamps
7 for not more than twelve (12) months.

8 (b) If referred by a court, an individual who meets the
9 requirements of section 3 of this chapter may receive TANF
10 benefits for not more than twelve (12) months.

11 Sec. 6. A court may modify or revoke an order issued under this
12 chapter concerning a food stamp eligible individual or a TANF
13 eligible individual at any time.

14 Sec. 7. A court shall immediately notify the county office of
15 family and children:

16 (1) upon the court's finding of probable cause that an
17 individual has committed a felony offense during the period
18 in which the individual is eligible for TANF or food stamps;
19 or

20 (2) when an individual has been terminated from a reentry
21 court program during the period in which the individual is
22 eligible for TANF or food stamps.

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COMMITTEE REPORT

Madam President: The Senate Committee on Homeland Security, Utilities, and Public Policy, to which was referred Senate Bill No. 523, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill DO PASS and be reassigned to the Senate Committee on Appropriations.

(Reference is made to Senate Bill 523 as introduced.)

WYSS, Chairperson

Committee Vote: Yeas 7, Nays 0.

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SENATE MOTION

Madam President: I move that Senators Simpson, Craycraft and Breaux be added as coauthors of Senate Bill 523.

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COMMITTEE REPORT

Madam President: The Senate Committee on Appropriations, to which was referred Senate Bill No. 523, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill DO PASS.

(Reference is made to Senate Bill 523 as printed February 4, 2005.)

MEEKS, Chairperson

Committee Vote: Yeas 9, Nays 0.

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